

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 5817 of 2007(P)

PETITIONER:

**M.S. SUNDARESAN, DEPUTY REGISTRAR
(PRINCIPAL) CO-OPERATIVE TRAINING CENTRE,
KOTTARAKKARA, RESIDING AT KAUSTHUBHOM
THOLIKKODE P.O., PUNALUR.**

**BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
CO-OPERATION DEPARTMENT, TRIVANDRUM.**
- 2. THE REGISTRAR OF CO-OPERATIVE
SOCSETIES, TRIVANDRUM.**
- 3. THE DEPARTMENTAL PROMOTION COMMITTEE
REPRESENTED BY ITS CONVENOR DPC (HIGHER)
AND SECRETARY TO GOVERNMENT,
CO-OPERATION DEPARTMENT, TRIVANDRUM.**

BY GOVERNMENT PLEADER SRI. NANDAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE LETTER NO.EA (8) 5514/2006 DTD. 24/06/2006
ENCLOSING THE SENIORITY LIST.
- EXT.P2: COPY OF THE LETTER NO.EA-8-41161/06 DTD. 5/12/2006.
- EXT.P3: COPY OF THE REPRESENTATION DTD. 8/01/2007.
- EXT.P4: COPY OF THE MEMO OF CHARGES WITH STATEMENT OF
ALLEGATIONS NO.3735/A1/2006/CO-OP. DTD. 26/10/2006.
- EXT.P5: COPY OF THE EXPLANATION BY THE PETITIONER DTD.
15/11/06.
- EXT.P6: COPY OF THE PROCEEDINGS NO.484/2000 DTD. 21/12/2002.
- EXT.P7: COPY OF THE JUDGMENT IN O.P.24283 OF 1998 DTD. 3/06/2002.
- EXT.P8: COPY OF THE PROCEEDINGS NO.R.245/2000 DTD. 4/08/2001.
- EXT.P9: COPY OF THE PROCEEDINGS NO.768/2002 DTD. 19/06/2002.
- EXT.P10: COPY OF THE MEMO OF CHARGES NO.3735/A1/2006/CO-OP. DTD.
30/12/2006 WITH STATEMENT OF ALLEGATIONS.
- EXT.P11: COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER
DTD. 12/01/2007.
- EXT.P12: COPY OF THE PROCEEDINGS NO.CRP-2-166/05 DTD.
18/02/2005.

/TRUE COPY/

P.A.TO JUDGE

KSS

ANTONY DOMINIC, J.
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W.P.(C) NO. 5817 OF 2007
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Dated this the 10th day of August, 2007

J U D G M E N T

Petitioner is a Deputy Registrar of Co-operative Societies, aspiring for promotion to the post of Joint Registrar. But however, he has not been considered on account of the pendency of the disciplinary proceedings which were initiated following Exhibits P4 and P10 memo of charges. It is stated that though he has filed his reply to Exhibits P4 and P10, there has not been any progress in the matter and in the meanwhile he is being superseded in the matter of promotion.

2. Taking into account the above submissions, I dispose of this writ petition with the following directions.

(1) The first respondent shall take steps for the expeditious completion of the disciplinary proceedings against the petitioner and ensure that the same is

completed within a period of three months from the date of receipt of a copy of this judgment.

(2) Pendency of the disciplinary proceedings should not stand in the way of the 3rd respondent considering the case of the petitioner for promotion and they will be free to consider his case adopting sealed cover procedure.

With the above directions, writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp